

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article VIII, Section 2, of the Texas Constitution is amended by adding Subsection (d) to read as follows:

(d) The legislature by general law may exempt from ad valorem taxation the property of an organization chartered by the Congress of the Republic of Texas that has been in continuous existence since the date it was chartered if the property is used primarily for the charitable, benevolent, or public service activities of the organization as defined by general law. The legislature may provide for the administration of an exemption authorized by this subsection and may provide additional qualifications and limitations for an exemption authorized by this subsection.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 1995. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to authorize the legislature to exempt from ad valorem taxation property of an organization chartered by the Congress of the Republic of Texas that is used primarily for the charitable, benevolent, or public service activities of the organization."

Adopted by the Senate on April 24, 1995: Yeas 30, Nays 0; adopted by the House on May 17, 1995: Yeas 132, Nays 3, seven present not voting.

Filed with the Secretary of State May 22, 1995.

S.J.R. No. 46

SENATE JOINT RESOLUTION

proposing a constitutional amendment permitting an encumbrance to be fixed on homestead property for an owelty of partition and the refinancing of a lien against a homestead.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 50, Article XVI, Texas Constitution, is amended to read as follows:

Sec. 50. The homestead of a family, or of a single adult person, shall be, and is hereby protected from forced sale, for the payment of all debts except for the purchase money thereof, or a part of such purchase money, the taxes due thereon, *an owelty of partition imposed against the entirety of the property by a court order or by a written agreement of the parties to the partition, including a debt of one spouse in favor of the other spouse resulting from a division or an award of a family homestead in a divorce proceeding, the refinancing of a lien against a homestead, including a federal tax lien resulting from the tax debt of both spouses, if the homestead is a family homestead, or from the tax debt of the owner, or for work and material used in constructing improvements thereon, and in this last case only when the work and material are contracted for in writing, with the consent of both spouses, in the case of a family homestead, given in the same manner as is required in making a sale and conveyance of the homestead; nor may the owner or claimant of the property claimed as homestead, if married, sell or abandon the homestead without the consent of the other spouse, given in such manner as may be prescribed by law. No mortgage, trust deed, or other lien on the homestead shall ever be valid, except for a debt described by this section* ~~[the purchase money therefor, or improvements made thereon, as hereinbefore provided]~~, whether such mortgage, or trust deed, or other lien, shall have been created by the owner alone, or together with his or her spouse, in case the owner is married. All pretended sales of the homestead involving any condition of defeasance shall be void. *A purchaser or lender for value without actual knowledge may conclusively rely on an affidavit that designates other property as the homestead of the affiant and that states that the property to be conveyed or encumbered is not the homestead of the affiant* ~~[This amendment shall become effective upon its adoption]~~.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 1995. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment permitting an encumbrance to be fixed on homestead property for an owelty of partition, including a debt of a spouse resulting

from a division or award of a homestead in a divorce proceeding, and for the refinancing of a lien against a homestead, including a federal tax lien resulting from the tax debt of the owner."

Adopted by the Senate on April 21, 1995: Yeas 28, Nays 0; the Senate concurred in House amendment on May 26, 1995: Yeas 31, Nays 0; adopted by the House, with amendment, on May 23, 1995: Yeas 136, Nays 5, two present not voting.

Filed with the Secretary of State May 30, 1995.

S.J.R. No. 51

SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the use of proceeds of bonds issued for financing of farm and ranch land.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 49-f, Article III, Texas Constitution, is amended by amending Subsection (b) and by adding Subsection (g) to read as follows:

(b) *Except as provided by Subsection (g) of this section, all [All] money received from the sale of the bonds shall be deposited in a fund created with the state treasurer to be known as the farm and ranch finance program fund. This fund shall be administered by the Texas Agricultural Finance Authority [Veterans' Land Board] in the manner prescribed by law.*

(g) *Notwithstanding Subsection (a) of this section, the proceeds of \$200 million of the bonds authorized by this section may be used for the purposes provided by Section 49-i of this article and for other rural economic development programs, and the proceeds of bonds issued for those purposes under this subsection shall be deposited in the Texas agricultural fund, to be administered in the same manner that proceeds of bonds issued under Section 49-i of this article are administered.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 7, 1995. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment allowing the use of existing bond authority of the farm and ranch finance program to include financial assistance for the expansion, development, and diversification of production, processing, marketing, and export of Texas agricultural products."

Adopted by the Senate on April 25, 1995: Yeas 31, Nays 0; May 19, 1995, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 23, 1995, House granted request of the Senate; May 29, 1995, Senate adopted Conference Committee Report: Yeas 30, Nays 1; adopted by the House, with amendment, on May 9, 1995: Yeas 139, Nays 0, one present not voting; May 23, 1995, House granted request of the Senate for appointment of Conference Committee; May 27, 1995, House adopted Conference Committee Report: Yeas 139, Nays 1, three present not voting.

Filed with the Secretary of State May 30, 1995.